

RESOLUTION NUMBER C-04-07

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HALF MOON  
BAY AUTHORIZING THE CITY MANAGER TO MAKE PERS DISABILITY  
RETIREMENT DETERMINATIONS**

**WHEREAS**, the City of Half Moon Bay is a contracting agency of the Public Employees' Retirement System; and

**WHEREAS** the Public Employees' Retirement Law requires that a contracting agency determine whether an employee of such agency in employment in which he/she is classified as a local safety member is disabled for purposes of the Public Employees' Retirement Law and whether such disability is "industrial" within the meaning of such law; and

**WHEREAS**, the City Council of the City of Half Moon Bay has determined upon legal advice that it may delegate authority under Section 21173 of the Government Code to make such determinations to the incumbent of the office of the City Manager;

**NOW, THEREFORE BE IT RESOLVED** that the City Council of the City of Half Moon Bay delegate and it does hereby delegate to the incumbent of the position of the City Manager authority to make determinations under Sections 21152(c) and 21156, Government Code, on behalf of the City of Half Moon Bay, of disability and whether such disability is industrial and to certify such determinations and all other necessary information to the Public Employees' Retirement System; and;

**BE IT FURTHER RESOLVED** that such incumbent be and he/she is authorized to make applications on behalf of the City of Half Moon Bay for disability retirement of all employees and to initiate request for reinstatement of such employees who are retired for disability.

**PASSED AND ADOPTED** by the City Council of the City of Half Moon Bay at its meeting thereof held on the 6<sup>th</sup> day of February, 2007 by the following vote:

AYES, COUNCIL MEMBERS: Fraser, Grady, McClung, Muller & Mayor Patridge

NOES, COUNCIL MEMBERS: \_\_\_\_\_

ABSENT, COUNCIL MEMBERS: \_\_\_\_\_

ABSTAIN, COUNCIL MEMBERS: \_\_\_\_\_

Attest:



Siobhan Smith  
City Clerk



Naomi Patridge  
Mayor